

40. If the said park commission shall find that they cannot agree with the owner of any land, or of any interest in land which may be found necessary to be added to "Druid Hill Park," or if the owner thereof or any of the owners thereof, at the time of application, be a feme covert, under age, non compos mentis, or residing out of Baltimore county, application may be made by the said commissioners, to any justice of the peace of Baltimore county, who shall thereupon issue his warrant, under hand and seal, directed to the sheriff of the county, directing him to summon a jury of twenty inhabitants of said county, not related to the parties, nor in anywise interested, to meet on the land to be valued on a day named in said warrant, not less than ten nor more than twenty days after issuing the same, and if at said time and place, any of said jurors summoned do not attend, the said sheriff shall immediately summon as many jurors as may be necessary, with the jurors in attendance, to furnish a panel of twenty jurors in attendance, and from them each party or his agent, or if either be not present, in person or by agent, the sheriff for him, may strike off four jurors, and the remaining twelve shall act as the jury of inquest; and before they act as such, the sheriff shall administer to each of them an oath or affirmation, as the case may be, that he will justly and impartially value the land required by said mayor and city council for the park aforesaid; and the said jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by the said sheriff to the clerk of the Circuit Court for Baltimore county, to be filed in his court, for confirmation by said court at its next term, if no sufficient cause to the contrary be shown, and when returned, shall be recorded by the said clerk at the expense of the said mayor and city council; but, if set aside, the court may direct another inquisition to be taken, in the manner above prescribed; and such inquisition shall describe the land taken, and the quantity or duration of the interest in the same, valued for the mayor and city council, and such valuation, when paid or tendered to the owner of said land, or his or her legal representatives, shall entitle the said mayor and city council to the estate or interest so valued, as fully as if it had been conveyed by the owner thereof; and the valuation, if not received when tendered, may at any time there-